

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

BANK OF AMERICA, N.A.,)	
)	
Plaintiff,)	2:16-cv-00524-RFB-NJK
)	
vs.)	
)	
ELKHORN COMMUNITY ASSOCIATION, et al.,)	<u>ORDER</u>
)	
Defendants.)	(Docket No. 27)

Pending before the Court is Defendant SFR Investments Pool 1, LLC’s (“SFR”) Demand for Security of Costs. Docket No. 27. Plaintiff filed a limited non-opposition to SFR’s demand. Docket No. 31. The Court finds that this motion is properly resolved without oral argument. *See* Local Rule 78-1.

DISCUSSION

It is the policy of the United States District Court for the District of Nevada to enforce the requirements of NRS 18.130 in diversity actions. *Feagins v. Trump Org.*, 2012 WL 925027, *1 (D. Nev. Mar. 19, 2012); *citing Hamar v. Hyatt Corp.*, 98 F.R.D. 305, 305–306 (D.Nev.1983); *Arrambide v. St. Mary's Hosp., Inc.*, 647 F.Supp. 1148, 1149 (D.Nev.1986). Under Nevada law, “[w]hen a plaintiff in an action resides out of the State, or is a foreign corporation, security for the costs and charges which may be awarded against such plaintiff may be required by the defendant.” NRS 18.130(1). The present case is a diversity action and Plaintiff is a non-resident of this state. *See* Complaint, Docket No. 1, at ¶ 2. Therefore, Plaintiff is required to provide security in the amount of \$500 per defendant, pursuant to NRS 18.130. *See Feagins*, 2012 WL 925027, *1.

CONCLUSION

Based on the foregoing, and good cause appearing therefore,

IT IS HEREBY ORDERED that Defendant SFR's Demand for Security of Costs (Docket No. 27) is **GRANTED** in part and **DENIED** in part.

IT IS FURTHER ORDERED that Plaintiff shall provide security in the amount of \$500, as to Defendant SFR, no later than January 28, 2017.

IT IS FURTHER ORDERED that Defendant SFR's request for a stay of proceedings pending the posting of security is **DENIED**.

DATED: January 9, 2017.



NANCY J. KORPE
United States Magistrate Judge